

### **EXAMINER'S AMENDMENT**

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Ms. Verrecchio on August 12, 2008.

#### *Amendment to Claims*

The application has been amended as shown below, with new claim 118 being added.

1. (Currently Amended) A glycopeptide of the formula A<sub>1</sub>-A<sub>2</sub>-A<sub>3</sub>-A<sub>4</sub>-A<sub>5</sub>-A<sub>6</sub>-A<sub>7</sub>, [SEQ ID NO: 1] wherein the groups A<sub>1</sub> to A<sub>7</sub> comprise the heptapeptide structure of naturally occurring vancomycin;

and wherein the group A<sub>4</sub> is linked via a glycosidic bond to a disaccharide having a glucose residue directly attached to said A<sub>4</sub> residue, wherein said glucose residue bears an N-substituted aminohexose residue selected from the group consisting of allyloxycarbonyl, N-decyl, and N-4-(4-chlorophenyl)benzyl and a substituent of the formula YXR, attached to the C-6 position of said glucose;

wherein the group Y is a single bond, the group X is O, NR<sub>1</sub>, S, SO<sub>2</sub>, C(O)O, C(O)S, C(S)O, C(S)S, C(NR<sub>1</sub>)O, C(O)NR<sub>1</sub>, or halo (in which case Y and R are absent); and R and R<sub>1</sub> are independently hydrogen, alkyl, aryl, aralkyl, alkanoyl, aroyl, aralkanoyl, heterocyclic, heterocyclic-carbonyl, heterocyclic-alkyl, heterocyclic-alkyl-carbonyl, alkylsulfonyl or arylsulfonyl; and any pharmaceutically acceptable salts thereof; provided that at least one of said substituent of the formula YXR is not hydroxyl; and if two or more of said substituents are present, they can be the same or different.

5. (Currently Amended) The glycopeptide of claim 1 ~~in which at least one of said substituent is YXR~~ wherein Y is a single bond and X is O, NR<sub>1</sub>, S or SO<sub>2</sub>.

26. (Currently Amended) The glycopeptide of claim 5 in which the N-substituted aminohexose residue is allyloxycarbonyl bears at least one of said substituent.

27. (Currently Amended) The glycopeptide of claim 6 in which the N-substituted aminohexose residue is N-decyl bears at least one of said substituent.

118. (New) The glycopeptide of claim 5 in which said N-substituted aminohexose residue is N-4-(4-chlorophenyl)benzyl.

Claims 102, 103, 105-107 and 116, are now cancelled.

### ***Conclusions***

Claims 1, 5, 6, 26, 27 and 118 are allowable.

If Applicants should amendment the claims, a complete and responsive reply will clearly identify where support can be found in the disclosure for each amendment. Applicants should point to the page and line numbers of the application corresponding to each amendment, and provide any statements that might help to identify support for the claimed invention (e.g., if the amendment is not supported *in ipsis verbis*, clarification on the record may be helpful). Should Applicants present new claims, Applicants should clearly identify where support can be found in the disclosure.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeff Lundgren whose telephone number is 571-272-5541. The Examiner can normally be reached from 7:00 AM to 5:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James (Doug) Schultz, can be reached on 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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